

1 Thomas M. McInerney, CA Bar No. 162055
tmm@ogletreedeakins.com
2 Brian D. Berry, CA Bar No. 229893
brian.berry@ogletreedeakins.com
3 OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
4 Steuart Tower, Suite 1300
One Market Plaza
5 San Francisco, CA 94105
Telephone: 415.442.4810
6 Facsimile: 415.442.4870

7 A. Craig Cleland, *pro hac vice*
craig.cleland@ogletreedeakins.com
8 OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
9 191 Peachtree St., NE., Ste. 4800
Atlanta, GA 30303
10 Telephone: 404.881.1300
Facsimile: 404.870.1732

11 Attorneys for Defendant
12 GOOGLE INC.

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16

17 ROBERT HEATH, and CHERYL
FILLEKES,

18 Plaintiffs, on behalf of themselves
19 and others similarly situated,

20 v.

21 GOOGLE INC., a Delaware corporation,
22 Defendant.

Case No. 5:15-cv-01824-BLF

**DECLARATION OF BRIAN ONG IN
SUPPORT OF PLAINTIFF CHERYL
FILLEKES' ADMINISTRATIVE MOTION
TO FILE UNDER SEAL**

Complaint Filed: April 22, 2015
Trial Date: May 1, 2017

I, Brian Ong, declare as follows:

1. I have been an employee at Google Inc. since October 2008. My current title is Director, Google People Services Effectiveness. I have held this position at Google since October 2012. In my role, my principal responsibilities include improving the efficiency, quality and experience of Google's hiring process. I lead teams that focus on strategy, planning, & analysis, process design, hiring innovation, online marketing, and the review of offers for employment. I am filing this declaration in support of the motion to seal certain documents and information that I am informed and believe have been filed in connection with plaintiff Cheryl Fillekes' motion to conditionally certify a collective action.

2. Based on my work experience at Google, I know there is competition in Silicon Valley, and throughout the world, for top software engineering talent. I also know that Google has devoted, and continues to devote, an extraordinary amount of time, money, and human resources toward developing internal processes and programs for identifying, interviewing, and evaluating software engineers for potential employment at Google.

3. I have reviewed Exhibit 1 to plaintiff Cheryl Fillekes' motion to certify a collective action. This document details the various stages in Google's rigorous interview and hiring process for software engineers and includes sensitive data regarding the percentage of candidates who progress from one stage to the next in that process. Google has taken care to not publicly disclose this document or the sensitive information it contains, including by branding it "Google Confidential & Proprietary" so that Google employees and interviewers are aware of the sensitivity of the information and will not share it publicly. Based on my work experience at Google, I believe Google may suffer competitive injury if other employers of top software

engineering talent were to gain access to this information, because they could use this information to their advantage when courting software engineering candidates.

4. I have also reviewed Exhibit 2 to Ms. Fillekes' motion, which is a hiring committee schedule. This document contains a large number of "links" to highly confidential internal feedback on candidates, including sensitive personally identifiable information.

5. I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct.

Dated: 2/1/16



Brian Ong